19 D Class File No. 53/48

(45)

R II & III C DEPARTMENT

G BRANCH

Subject :—

P 34E Bombay Building (control on erection) Ordinance 1948

K

No. 45 to 86.
from the original
file no 53/48/XV

D Class

File No.

Sta. Sects. Slip 24-A

Allen
2-5-49

Lab. Dept.

53/48

F 1588

dear Nanda ji

We have an Act to provide for the
bill on erection & reconstruction of buildings
in the Province of Bombay. This Act
is XXXI of 1948. This more applicable
to the hard mechanism of the Schedule. [illegible]
[illegible] to apply to any other part. I
think Bengal, Bihar & Orissa
Economic not included in the Schedule
nor any municipality is covered under
the applicable provisions of. I have not
had the bill making the applicable to
Punjab. The Collector has written to
the Chief Conservator of Forests
[illegible] Upper Provinces for the
[illegible] applicable to the Punjab
to please inform me accordingly

DAK-715

INTEST WISELY

1140

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Prefix } Code

No. C.

Office

Rd. from

Sent at H. M.

To

By

Handed in at (Office of Origin)	Date.	Hour.	Minute.	Service Instructions	Words

TO

Recd. here at H.

[illegible] APPLORE HONOURABLE COLONIAL MANAGER SECRETARIAT [illegible]

[illegible] INFORMATION [illegible] THAT PLEASE [illegible]

[illegible] RAGHAVENDRARAO KULKARNI M L A

N. B.—The name of the sender, if telegraphed, should be written after, but separated from, the text.

[illegible]—1909—20 10-45—1,25,000 Sets.

Tab. D

H2

The Bldg. Control Act applies only to B'ay and B SD, Thana Taluka, Kalyan Municipal Borough, Ah'bd Municipal Borough and Ah'bd Cantonment, in respect of all kinds of buildings and to the whole of the Province in respect of Bldgs. to be used for cinemas, theatres and places of entertainment only. Mr. R.R. Kulkarni, M.L.A., refers to an order by the Collr. (of Belgaum presumably) stopping construction of a building at Athani (Belgaum Distt). He does not mention the purpose for which the Bldg. is being constructed. Besides, there may be the local rules and building regulations which may have not been complied with in regard to this bldg. for which reason the Collr. may have stopped work on this bldg. — vide sec. 8 of the Bldg. Control Act. Perhaps we may reply duly copies to the Collr. to Mr. Kulkarni. Unless we know the facts of this case, we cannot give any but general advice. Mr. Kulkarni was an interview with HM(L) on 11th ult. Today is already the 12th. He may now be given an interview with U.S. previous appointment. Bldg. Section may issue if U.S. agrees.

12/5/49 I have no objection. U.S. 12/5

Telegram (State)

Name: Raghavendrarao Kulkarni MLA.

Address: Athni

Your telegram received to Nanda.
Please interview Under Secretary Labour
Deptt. Secrt. any week day during
office hours.

Lab. Deptt., B'G.

ISSUED
Date 13/5/69 Dt.

13/5/69
for RS

Mr. Kulkarni saw me today; he was accompanied by Mr. A.S. Deshpande, Manager of a Cinema Theatre at Athni in Belgaum District.

It seems the stoppage has been under the orders of the Controller of Printing & Stationery Bombay who has called for from the Manager the Theatre certain info. to enable him (the Controller) to decide whether a breach of the law has been committed, or not.

The object of Mr. Kulkarni's inquiry is whether the Control Order wanted Cinema to utilise the Building Contractor Control Quota in place of Mica than those specified in the Schedule to the Act. I told him it did apply if the building was of the kind mentioned in a Theatre. They then told me that the money for the specified materials was used except CGI sheets which were transferred from an old shed to the new building for Cinema. The principle used are they told me. I told the report that matter was an inquiry part and if the provisions the were not breached they had no reason to get alarmed. 13/5

14th May, 1949.

From:-

R. A. Kulkarni,
M. L. A. Athni.

2001
LABOUR DEPARTMENT
FILE NO. 53/48
F DATED 16.5.49
SERIAL NO. 1610

To

Shri Gulzarilal Nanda,
Minister for Labour and Building,
Secretariat, Bombay.

Sir,

Some leading Members and Merchants of Athni have formed a private cinema company called Navayug Talkies before 1945. Firstly it was a touring talkies. For that Cinema they had purchased the machinery and other materials in 1945 before the Act No.XXXI of 1948 had been enacted. It was working even before the ordinance was promulgated by our Government. They have erected it in a temporary building constructed under the aid of Bamboos Thattis and bamboos and thatched it with corrugated iron sheets and constructed with second hand iron trusses and some second hand iron material. One of the shareholder has got his ginning & pressing factory. He had got some godowns constructed for storing cotton. Owing to grow more food Act the growing percentage of cotton fell down. Hence one of his godown remained vacant. The Navayug Talkies purchased that material and made use of it for temporary structure of a Theatre.

The authorities began to press the company to erect a pucca building otherwise it will be stopped. To fulfil the condition they began to build a pucca building with stone and mortar. They are not using cement or bricks for their construction. Onlything that they want to do is to roof it with old corrugated iron sheets which are already there on tempomary construction. They are using iron angles and truses they may have got already. They do not want any controlled or building material from government. They have began the building and they have completed nearly half.

Before building the cinema House the Company had applied to the Collector to get permission for building the theatre. The Managers had supplied every information to the Collector. The Local officers had reported after inspecting every thing. In the meanwhile the Company received a notice from the Building Controller to stop the construction of the building and asked certain information regarding the material and other matters. The Company has supplied every information wanted by the Building Controller. Only thing he wants now the dates of materials purchased and some vouchers to satisfy him regarding the bona-fides of the company. The company has invested nearly 60,000/- to 70,000/- rupees in the machinery and other building material. The Company has purchased second hand material before the Ordanance was promulgated . Moreover the owner of the material had purchased it long ago for his cotton godown. The Company will give the information when it purchased it from them. As he is one of the shareholder he has given the material for temporary building. He might have deducted the amount in his accounts. To satisfy the government the company will try to give the - information wanted.

The Company has nearly constructed half of the building. If the further construction is stayed it will fall down in monsoon as it is built with mud and stones. Hence the company wants immediate permission to go on with further construction work and finish it before monsoon. The Company wants permission to use the old stock for roofing it. If sheets are not used and if tiles are used there is likelyhood of breakage owing to mischief-mongers who throw stones on the roof. If the construction is stopped only for the sake of iron sheets the company will suffer enormous loss.

The Government has made its position clear on 19-4-1949 by Director of Publicity. In it is made clear

as follows:- "Where however there is a substantial locking up of capital of those who undertook this venture before the ~~compan~~ coming into force of the building control and where more than half of the building activity has been completed permits may be given both in Bombay and the mofussil, particularly in the mofussil".

According to this also the Company's capital amounting to rupees 60,000/- has been locked up. It is practically a big amount in mofussil. Hence it is prayed that the Building Controller be informed to issue necessary permit to the Company at an early date, otherwise the Company will suffer loss. The Company should be allowed to use the old material they have got.

As the Shareholders of the Company made a grievance to me and showed every correspondence and also their construction work I found it my duty to place the real situation before you. Hence I have represented the matter to you in the interest of general public and also of the shareholders who have spent a lot of money in the enterprise. If it is locked up in a business which is practically stopped it will be a loss of so much capital to our town people.

I hope you will consider this case sympathetically and do the needful in the matter.

B o m b a y

Yours faithfully,

R. K. [illegible]

C
23/5/49

LABOUR DEPARTMENT
NO. 53/48
DATED 27/5/49
SERIAL NO. 12868

From:-

R.A.Kulkarni, M.L.A.,Athni.

OFFICE OF HONBLE MINISTER (LABOUR)
Rec'd 23-5-49
Pas... (in Contemplation
Labour)
On 27.5.49

To

Shri.Gulzarilal Nanda,
Minister for Labour & Housing,
Secretariat, Bombay.

Sir,

I have represented the matter of Navayug Talkies, Athni on 14.5.1949 to you. The rains have begun. The construction raised is deteriorating. P.W.D.Engineers are pressing the Company to get permission to go on with the construction --- early. They are pressing the managers of the Company to stop the working of the ~~xxxxxxx~~ cenema in a temporary construction. Thus the Company is in a double difficulty. P.W.D., wants the Company to construct a new building to house the cenema while the Building Controller has stopped the construction. Therefore the Managers have supplied every necessary information wanted by the Building Controller, Bombay. He wanted a voucher --- regarding the purchase of corrugated iron sheets. He has no objection for any other matter. I have made the position of the Manager already clear in my last representation. The --- Managers do not want anything from the Government for the building purposes. The Government has no objection to --- errect any building without the aid of controlled articles. I learn such a permission has been given to one Cenema House to be constructed at Belgaum by the Building Controller. There is no objection in the case of this Cenema Company to proceed with the building work. The materials such as iron trusses and corrugated iron sheets had been purchased when there was no control. Iron trusses and corrugated iron sheets were --- formerly available in any quantity in the open market. The Company is not demanding any material from the Government. Under the circumstances it is requested that permission to go on with the construction should be immediately sent. Otherwise the construction now raised will fall down owing to rains.

Under such circumstances I request you to pay immediate attention to the urgent matter and order the Building --- Controller to issue permission immediately. Otherwise, the Company will have to incur enormous loss.

Hence, it is prayed that you will do the needful in the matter immediately.

Athni.
Dated: 21st May 1949.

R. A. Kulkarni
M.L.A.

17 Labour Dept.

HBr.

Please see the o.w. of the 12/5/49 on p. 5 ante which explains the position in regard to the application of the Bldg. Control Act to Cinemas in this Province. Please see also US's note on p. 6 ante recorded after Messrs. Kulkarni and Despande interviewed US on the 13/5/49 in this connection. In his present letter to HM recd. in office on the 27/5/49, Mr. Kulkarni asks for immediate permission to complete the construction of the Cinema House at Athni. Mr. Bhuja, the C. of B., who was here this morning was shown this letter and he said that the statement made at 'A' of Mr. Kulkarni's letter is not correct. When the C. of B. served a notice on the owner of the Cinema to stop work, he asked them to produce certified plans of the Cinema bldg. showing, inter alia, how much of the construction has been completed, the amount of specified bldg. materials used and to be used, the source of the materials already on site etc etc. The C. of B. said that the owner has not replied although he has been reminded for an early reply. The C. of B. intends to make a detailed report to Govt. on receipt of the owner's reply. It seems that the owner has run short of reply, but instead has approached direct through the local MLA / Mr. Kulkarni for permission to complete his Cinema. It would not be desirable for Govt.

issue an order to the C. of B. to grant the necessary permit without knowing the full facts of the case. Perhaps we may tell Mr. Kulkarni to request the Manager of this Cinema to first furnish all information and particulars as required by the C. of B. from him; and we may also ask the C. of B. to submit his full report to us immediately on the receipt of particulars from the Manager.

A

21/5/49.

As at A. 31/5/49

(MLAs seem to be interesting themselves in sponsoring cinema buildings! Mr Kulkarni has come to plead for Athni. The other day Mr M.D. Joshi MLA of Ratnagiri interceded with me to permit the Ratnagiri Cinema house.)

1/6/49.

1/6

1/6

No.53/43/17868-F
Labour Department,
Bombay Castle, 13th June 1949.

From

The Secretary to the Government of Bombay,
Labour Department.

To

R. A. Kulkarni, Esquire, M.L.A.
Athni.

Sir,

With reference to your letter dated 21st May 1949, addressed to the Honourable Minister for Labour and Housing, regarding the Cinema building at Athni, I am directed to say that the owner of the Cinema has not supplied necessary information asked for by the Controller of Buildings from him. I am therefore to say that you should request the owner of the Cinema to furnish first all information and particulars required by the Controller of Buildings and the case will be considered by Government on receipt of the report from the Controller of Buildings in the matter.

Yours faithfully,

11/6/49

For Secretary to the Government of Bombay,
Labour Department.

BGA.S. 13/6/49 (P.T.O.)

No.53/48/17868-F
Labour Department,
Bombay Castle, 18th June 1949.

Copy together with copy of the letter under reply forwarded with compliments to the Controller of Buildings, Bombay. The Controller is requested to submit his full report in the matter as soon as the required information and particulars are received by him from the owner of the Cinema.

By order of the Governor of Bombay,

a

For Secretary to the Government of Bombay, Labour Department.

BGA.8.

OFFICE OF THE
CONTROLLER OF BUILDINGS, BOMBAY.

Re: Government Labour Department
Endorsement No. 53/48/17860-A,-
dated the 13th June, 1949.

Letter was received from M.L...at an of Athani, through the Provincial Iron & Steel Rationing Officer, Bombay, that he was given to understand that permission had been given to Navyouga Touring Talkies to construct the Cinema Theatre building at -- Athani.

2. Reply was sent to Mr. [illegible] that no permission had been granted to Navyouga Touring Talkies. A notice was sent to the Proprietor, Navyouga Touring Talkies, Athani through the District Magistrate, Belgaum/Satara to state why legal action should not be taken against him for the unauthorised work.

3. Reply to the notice was received from Mr. Deshpande, Managing Director of - the Manoranjan Limited. He was asked to submit plans of the proposed work and further particulars. He states that their business was started in the year 1947 in a temporary structure and that they have invested in the existing venture about Rs.70,000/- from 1945 to date, as shown in their statement dated 21- 6- 1948, and not in the proposed work. They are required to put up a permanent building without which the licences would not be renewed by the Public Works Department, the Electrical Inspector, the District Magistrate and the Mamlatdar. --

4. Plans show that the wall 70 ft. long near the Projector room (marked blue) has been constructed 8 feet high. Other walls

shown in red have been built up to the ground level only. The walls on four sides are to be constructed 17 feet high. No specified building materials have been used so far, but it is proposed to use 350 C.G.I. sheets and 6.25 tons of steel.

5. According to the policy laid down by the Government, permit cannot be granted to continue to construct a Cinema Theatre building which has reached a stage, similar to that of the building in this case. But it is not a new venture. The existing building being of a temporary nature, they are required by Public Works Department authorities to replace it by a building of a permanent type.

6. It is for consideration, whether in view of the above circumstances a -- permit be granted for completion of — the proposed work.

7 Case papers \ to 52 sheets are -- attached.

CONTROLLER OF BUILDINGS,
BOMBAY.
23/6.

U.O.R. No. BC/Bom/5492
Dated - 24/6/69
Labour Department
H.M. (Labour). 2535

LABOUR DEPARTMENT
FILE NO. 53/48.
F DATED 24/6/69
SERIAL NO. 20996

V.23.

Labour Deptt

SBr.

Submitted with ref. to the proceedings on p. 19-22 ante.

2. Please see the C. of B's report on the Cinema Theatre construction case at Attari, Belgaum Distt., on p. 23-24 ante. The first reply of the Managing Director of this Cinema to the C. of B's letter directing him to stop work will be found on p. 38-40 of the case pp. below. It will be observed that the Manager admits that he started construction of this Cinema Bldg. on the 10/4/48 i.e when the Bldg. Control Act came into force. He however, pleads complete ignorance of this Act and of the notification issued under it in accordance with which he was required to obtain the previous permission of the Controller in this matter. He then goes on to show that the erection of this Cinema is not new in the sense that he was running a Cinema on the same site since 1945. But as the old structure which was used as a Cinema was of a temporary nature and ~~had become dilapidated~~ and as the local authorities were unwilling, and as the P.W.D authorities and Electric Deptt. had threatened him that unless he put up a new structure he would have to stop his licences, he was forced to undertake the construction of a new Bldg. on the same site. In his subsequent letter to the C. of B. which will be found on p. 30-31, p. 27-28, and p. 2-8 ibid.

pp. below, the Manager has pointed out that he has not used any specified bldg. material on this building so far and all the steel (and C.I. sheets) which he has on site which is proposed to be used for this bldg. is old steel taken from the temporary structure which has been demolished. He has also furnished statements to show that the total amount of money invested in this business from 1945 when he started it to the end of 1947 is Rs. 71,381-11-0. If permission is not granted now, he will suffer a very heavy loss.

3. The C. of B. in para 4 of his report shows how much work has already been completed on the site. He states that the construction of this cinema is not a new venture since the old Cinema house being a temporary structure, the Manager was required by the P.W.D. authorities to replace it by a bldg. of a permanent type

4. The policy of Govt. in regard to the construction of Cinemas etc. is as stated in para (1) of our recent Press Note (Copy below), in accordance with which new permits will normally be given; but where there is a substantial locking up of capital of those who undertook this venture before the coming into force of bldg. control and where more than half of the bldg. activity has been completed, permits may be given both in Bombay and the mofussil, particularly in the mofussil it has been shown above, that this case is

It may not be a new venture but it is a new building. WHD

not a new venture. The old structure was built in 1945 and a capital of about Rs. 70,000/ has already been invested in the business. Moreover, no new specified bldg. materials are proposed to be used in the new bldg. but all the C.I. sheets and steel which are on the site are from the old temporary structure. Again, it is said that the new bldg. has been undertaken because the PWD authorities are pressing the Manager to do so failing which they will not grant him a certificate of fitness. And if the latter certificate is not granted by the PWD authorities, the DM will not renew the licence of the Cinema. It is true that no copies of the P.W.D or DM's orders to this effect have been enclosed by the Manager. However, it is doubtful whether the Manager would make such statements in writing without actual orders from these authorities. In the circumstances it is open for orders whether permission should be given to complete the bldg. in the present case. If permission is given we may instruct the C. of B to check up from time to time that no new specified bldg. materials are actually used in the construction.

We may get a report from the D.M.

25/6/69

(I.M.(I))

Permission not be refused. It is not a case of repairs to an old building, but a new pucca building. Scarce materials must not be permitted to be used for such purpose. It seems a case for prosecution D.M. may report. HMD 26/6

HM Lab. SDM 29/6

HMD 30/6

3 frs
2 with encls.
Also copy of C. of B's report
on p. 23-24 ante.

No. 53/48-F
Lab. Deptt.
B.C. 4th July 49.

A
27

To,

R.A. Kulkarni Esq. M.L.A.,
Athni, Belgaum Distt.

Sir,

In continuation of my letter P.21 No. 53/48/17868-F of the 13/6/49, I am directed to state that after carefully considering the report of the C. of B. Bldg. on the construction of the Cinema building at Athni by M. Deshpande, the Managing Director of Manoranjan Ltd., it has been decided not to grant permission (under the Bldg. Bldg. (C. of E) Rule 1948) to Mr. Despande L. to construct this building, the construction of such buildings is not

not permissible under the limited powers of Govt. of Bombay.

ISSUED
4/7/49

AS

Copy forwarded to the Comm'r of B. Bldg. for information and guidance with reference to his letter No. BC/BOM/5492 dated the 24/6/49 on the subject mentioned hereunder.

Copy with a copy of the report of the Comm'r B. No. BC/BOM/5492 dated the 24/6/49 forwarded to the Asstt Engineer Belgaum with an intimation that as Mr. Deshpande started the construction of his Cinema bldg. without the proper permission of the Comm'r of the Bombay Bldg. (Control) Act, he has committed a breach of the Act for which it seems, he will have to be prosecuted. However before taking final decision on the part of the Govt. he is requested to forward an explanation to the Govt. on the unauthorised construction of a cinema bldg.

ISSUED
4/7/49.

AS

From:-

R. A. Kulkarni, M.L.A.,
Athni, Dist. Belgaum.

2861

LABOUR DEPARTMENT
FILE NO 53/48
F DATED 18/7/49
SERIAL NO. 24075

To

Shri Gulzarilal Nanda,

Minister for Labour & Building,

Secretariat, Bombay.

Sir,

I had represented the matter of Navayug Talkies, Athni, on 14.5.1949. I sent a reminder to know the result of my representation. I received an intimation on 30th June 1949 that the matter is under consideration.

2. I had personally explained what is the real fact and situation when I represented the matter. I had also explained to you the view of the Building Controller. I had a talk with your Secretary regarding this matter. He was of opinion that if no controlled articles were newly used for building purposes according to the New Act there will be no objection on the part of the Government to give permission to build any sort of building. I explained the matter to the Building Controller. He wanted the information regarding the steel and corrugated iron sheets and an account of their investments in the concern. The Manager of the Company had supplied the necessary information and the necessary accounts which the Controller wanted in connection with iron trusses and iron sheets and also the investments.

3. The Building Controller suggested that the Government will give permit to any building even to Cinema House if it is built with morter and stones using wood and tiles or with the aid of non-controlled articles. In the case of this Company the iron sheets were purchased long ago even before the Act came into force. They are using the same iron sheets now on their present structure wherein the cinema is now running. This does not mean that they have in stock these iron sheets but they are already in use, being covered over their present structure and

what they require is that they want to make use of them to cover over their new structure. The Government too cannot, I believe, prohibit the use of the iron sheets which are already in use and for the same purpose. The Company undertakes not to go in for any new iron sheets,

4. As for the Iron trusses they are very old ones. Moreover they cannot be used for any other purposes. If they are cut they will be useless. Moreover that iron material is not very much. It is requested that such material should be allowed to be used by the Company. If permission is not granted those trusses will not be useful to anybody and they will lie idle. By not allowing the use of the trusses government will not be a gainer. If the Government does not allow the use of these iron trusses etc. the Company will stop its use and finish up the building with other substituted materials which are non-controlled. But what we pray is that the Company should be allowed to construct the roof with the aid of iron sheets which are already in use with them.

5. The answer sent to me dated 4th July 1949 has created disappointment in the minds of all. I have requested the Manager not to use iron trusses for the roof. He has consented to do that. Now the question of iron sheets remain. I request you to give permission to build the cinema building allowing them to use only iron sheets which are already in use.

6. Under the circumstances I request you to reconsider the order passed on 4th July and allow the Manager to go on with the construction without using the iron trusses. Otherwise the construction now raised will fall down in the monsoon. So much work, labour and money of the Company will be wasted for nothing. The Company has invested so far in their cinema concern prior to the coming into force of the said Act or Ordinance exceeding Rs.70 or 75 thousand as can be seen from the statement of accounts that is already submitted to the Controller and now recently the District Magistrate of Belgaum has prohibited them not to use the present structure for holding cinemas as it is most temporary

and not safe as a public place of amusement. So the Company had to close their present cinema house at a great loss and by not granting a permit to erect a new building the Company is put to an irrepairable loss to the extent of Rs.70 to 75 thousands. This is indeed a shocking figure to the mofussil people.

7. From the circular that the Director of Publicity, Government of Bombay has issued on 19.4.1949 it is made clear that in the cases of places of amusement and entertainment i.e. theatres and cinemas etc. no permit will normally be issued. But when, however, there is substantial locking up of capital of those who undertook this venture before the coming into force of the Building Control permits may be given both in Bombay and mofussil particularly in mofussil. So in consonance with the policy that is laid down I believe that the Government will be pleased to grant the permission as prayed for.

8. I have sent herewith the undertaking of the Manager for not using the iron trusses for the roof to satisfy the conditions put on the Company by the Government. I was hopeful that you being a considerate man, will issue permit to the Company to proceed with the construction on certain liberal condition. Anyhow the Manager has given an undertaking in writing. Now it rests with the Government to help the Company by issuing permit to build the cinema house. I have written with a hope that the matter will be reconsidered in all ~~the~~ its aspects stated above and necessary orders will be passed in the interest of the Company.

9. Now the monsoon is ~~sent~~ set in and the Company has closed its present temporary structure due to District Magistrate's Order. So to put a stop to its recurring and continuous loss to the Company, early order is solicited.

Yours sincerely,

R M Khan

Bombay,
16.7.1949.

I believe it was [illegible] the last
fair set out [illegible] no subsidence
there would be [illegible] permanent
ground for repair [illegible] & deepen
they are prepared [illegible] old river bed
with the rest of the [illegible] as contract
also and cupid [illegible]
& tides

G Miranda
10/7

From:

A.S. Deshpande,
Managing Director,
"Manoranjan Ltd."
ATHNI. (Dist. Belgaum).

To

Shri Gulzarilal Nanda,
Minister for Labour & Building,
Secretariat,
Bombay.

Sir,

I, on behalf of the Company hereby undertake not to use the iron trusses for the new construction of the cinema house of our Navayug Talkies, Athni, if the Government asks us to do so and it is on this undertaking that we make use of the permit that may be granted to us to build the construction asked for.

Yours faithfully,
For MANORANJAN LTD.

A.S. Deshpande

Bombay, 16.7.49.

Managing Director.

Labour Deptt

JTB.

Submitted with ref to HM's minute of the 16/1/49 on p.36 ante

2. The facts set out in Mr. Kulkarni's letter to HM on p.31-35 ante which is an appeal against the order of Govt in our letter of 4/1/49 on p.28-29 ante are briefly as follows:-

(1) The C.I. sheets proposed to be used on the roof of the new Cinema are old sheets taken from the temporary structure which was used as a Cinema on the same site. The owner of the Cinema proposes to use these old sheets only and undertakes not to go in for new iron sheets

(2) The Iron trusses also proposed to be used are not new but old ones taken from the old structure. If the owner is now not allowed to use these trusses, they will remain idle. However, the owner is prepared to use these trusses, but he wants first will give him permission to use at least the Iron sheets.

(3) The owner has invested about Rs. 15,000/- in the new structure and if permission is not given to complete his Cinema will suffer a heavy loss.

(4) The owner would have to [illegible] to use his old structure [illegible]

but for the fact that the Local Govt. authorities viz. the Ex. Engr., D.S.P. and D.M. have warned him not to do so as the structure was unsafe

3 Please see the o.n. of the 25/6/49 on p. 25-27 ante on which the orders of Govt. were taken. It will be observed that all the facts mentioned by Mr. Kulkarni were before Govt. when it took the decision not to allow a permit for the completion of this Covering bldg. No new facts are brought to our notice in the appeal. However, in view of HM's minute that the owner is now prepared to dispense with the use of the old iron sheets also and confine the roof construction to tiles (which is a non-specified material under the Bldg. Control Act), permission may perhaps be given on this express condition. Presumably, Mr. Kulkarni gave a verbal assurance to HM about 'A' above, because his letter does not mention this, but says that the owner will use only the old iron sheets and not new ones. | A | B

Draft orders:

HM
20/7/49.

20/7/49

VVD 22/7

Draft
GS

B - if yes, this may be enforced Secy

Secy HM(L)

1/8

4/4/6

No. 55/48-A
Rev. Deptt.
B.C. 5th Aug 49

To,

R.A Kulkarni Esq., I.C.S.A.,
Athni Distt. Belgaum.

Subject: Construction of Navayug Talkies at Athni.

Sir,

I am directed to refer to your letter No. 31-35 (Athni(1)), dated 16/7/49 on the above subject and to state that, on reconsideration, Govt has no objection to the proposal of constructing the Cinema building at Athni on the specific condition that he will not use the construction of the roof of the building (another non-combustible material) to be used. However, the use of the old iron trusses and even the old iron sheets will be strictly prohibited in the construction of this building, and the C. of P. is being instructed to see that the condition is strictly complied with.

Yours faithfully,

Under Secretary

No. 53/48-F
Lab. Deptt.
B.C. 5th Aug 49.

Copy f.w.c. to:

The C. of B. Bby. for information and guidance with ref. to F.E. Lab. Deptt. No. 53/48-F P.29 of the 4/8/49.

The DM. Belgaum with ref. to F.E. Lab. Deptt. No. 53/48-F P.29 of 4/8/49 with an intimation that as it has now been decided to grant permission to Mr. Deshpande to continue his Cinema Bldg., the detailed report called for in the F.E. ref. to above is now wanted.

By order
&c.
Dy. Secy.
4/8/49

Issued 5-8-49

The letter addressed to Kulkarni has been handed over to him. Please issue endst.
Dy 5/8/49

53/48
5/8

21.